

Data Reported Found in Car

Last Saigon Envoy Probed on Files

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Special to The Washington Star

Graham A. Martin, the last U.S. ambassador to South Vietnam, is under Justice Department investigation for allegedly having taken top-secret government documents with him after his retirement.

The Justice Department would not comment officially on the investigation, and it was not certain whether criminal charges would be brought against Martin.

Martin was one of the most controversial envoys in the Foreign Service, and his role in the downfall of Saigon and the evacuation of Americans and Vietnamese is still a matter of contention.

But it was learned from well-placed sources that the investigation has been going on for several months. High-ranking State Department officials have been informed of the case, but officially the department has no comment on it.

The alleged secret documents were discovered after a car belonging to a member of the Martin family was stolen at the start of the year in North Carolina, where Martin has been in retirement since March 1977.

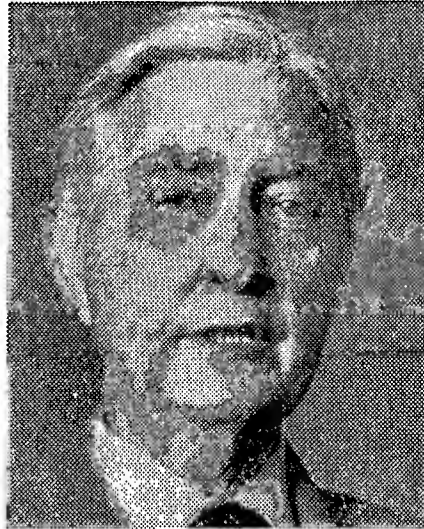
ACCORDING TO government officials, when local police recovered the car they found the trunk lock forced open and the trunk stuffed with classified documents.

The FBI reportedly took possession of the documents, many of them said to be highly sensitive cable traffic between Washington and Saigon, and asked the State Department to verify and analyze the material. Several officials said there were at least two large cartons of documents involved.

One State Department official said, "I was amazed at some of the stuff which I did not even know existed."

Actually, Frank Snepp, a former CIA analyst whose recent book on the fall of Saigon was critical of Martin, had reported that Martin was "squirreling away" secret documents before he retired in 1977.

When The Washington Star tried to contact Martin at his home in Winston-Salem, Martin's wife said he had just had a serious lung operation and was in the intensive care section of a local hospital. Mrs. Martin said



GRAHAM MARTIN
Under fire again

she knew nothing of the alleged case when it was described to her.

WHEN ASKED about a stolen car, she said her daughter's car had been stolen. The Martins have two married daughters. One of them said her car was never stolen. The other daughter was said by Mrs. Martin to be en route to Bangkok.

Sources in the Justice Department said Martin was being investigated by the internal security section of the Criminal Division. One official said the statute in question was Section 793 (f) of the U.S. Criminal Code which makes it a crime to permit through "gross negligence" classified information relating to the national defense to be removed from its proper place.

This carries with it a maximum penalty of up to \$10,000 in fines and 10 years in prison.

A lawyer familiar with such national security cases said yesterday he doubted that much of a case could be made against Martin and that was why, he reasoned, so many months have gone by since the discovery of the documents at the start of the year.

STATE DEPARTMENT officials were interested in why Martin might have wanted the documents. Several officials said that Martin was greatly concerned about the historical record of the fall of Vietnam and wanted to protect his reputation against what others, such as former Secretary of State Henry A. Kissinger, might publish. Kissinger's memoirs are to be published next year.

Harry Middleton, the director of the Lyndon B. Johnson Library in Austin, Texas, said in a telephone interview last night that Martin had made contact with him in mid-February and said he had decided to give the documents to the library. He said Martin told him of the car theft and that the FBI had some the documents.

Middleton said he knew of no criminal investigation involving Martin's possession of the documents and he assumed that the State Department had decided what documents the LBJ library would receive.

Martin, who will be 66 on Sept. 22, served as ambassador to Saigon from the summer of 1973 until its capture by North Vietnamese troops on April 30, 1975. He finally left the

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embassy on one of the last American helicopters that got out before the city's collapse.

HE HAD BEEN ambassador to Thailand from 1963 to 1967 and ambassador to Italy from 1969 to 1973.

He has always been controversial even though his graceful, Southern manner often belies his inner toughness. His first major dispute, largely unknown to the public at the time, was when as envoy to Thailand he resisted efforts by the American military to involve themselves more deeply in Thai affairs as the military had done in Vietnam.

Because of this, Martin was relieved of his post and returned to Washington as a special assistant in refugee affairs. The Nixon administration appointed him to Rome, where he riled some officials by seeking to use CIA funds to help the Christian Democrats, even though that practice was supposed to have been stopped.

In Saigon, he saw his job as trying

to rally American public opinion behind the anti-Communist government of President Nguyen Van Thieu and he was a familiar figure on Capitol Hill testifying in support of ever-dwindling aid funds.

SNEPP'S BOOK, "Decent Interval," was critical of Martin's administration of the embassy and in particular his reluctance to take the necessary steps to ensure an orderly evacuation of Americans and Vietnamese.

In the book, Snapp said that Martin was anxious to protect his own reputation. He said that Martin was angry that Kissinger "had spread rumors around Washington that Martin was a little 'insane.'"

Snapp said Martin began talking to him and to some journalists to justify his actions in Saigon.

"He also quietly squirreled away secret papers to buttress his case," Snapp wrote.

One former member of the Saigon embassy said yesterday that Martin was believed to have shipped from Saigon in the last days a file of the most sensitive cables, including so-called "back-channel" messages from Kissinger dealing with a variety of matters.